

**REMARKS**

Claims 1-16 are all the claims pending in the application.

The Examiner did not indicate whether the drawings are accepted. Applicants respectfully request that the Examiner indicate acceptance of the drawings in the next action.

**Claim Rejections - 35 U.S.C. § 102**

Claims 1-16 are rejected under 35 U.S.C. § 102(b) as allegedly anticipated by Podrazhansky et al. (US 6,366,056; hereinafter “Podrazhansky”). Applicants traverse this rejection for *at least* the following reasons.

**Claim 7**

Claim 7 is directed to a lithium ion secondary battery system. Claim 7 recites, *inter alia*:

a control unit which carries out an intermittent power feeding in which a power feeding and a pause are repeatedly executed, when a lithium ion secondary battery is discharged with not less than a predetermined discharge rate,

wherein said control unit executes said pause for a period not less than the period required for the voltage of the lithium ion secondary battery to restore up to not less than 70% of an open circuit voltage.

Podrazhansky fails to teach “wherein said control unit executes said pause for a period not less than the period required for the voltage of the lithium ion secondary battery to restore up to not less than 70% of an open circuit voltage.”

Podrazhansky relates to a fast charging process for lithium-based batteries (col. 1, ln. 11-12). Podrazhansky discloses a controller (113) in Figure 2. In col. 7, ln. 1-11, Podrazhansky discloses charge pulses (1A-1N, see Fig. 1) have fixed amplitudes within a charge state, and increase from a low starting value for the first charge state to higher and higher values for subsequent charge states until a predetermined maximum amplitude is reached. Podrazhansky’s number N of charge pulses can be varied depending upon the state of charge of the battery. Podrazhansky’s N may start small, until the condition of the battery is determined, and then increase, until the battery nears a full charge (col. 7, ln. 21-25).

Podrazhansky generally discloses increasing the number of charge pulses until the battery nears a full charge, it is neither explicitly disclosed nor inherent that Podrazhansky’s controller executes a pause for a period not less than a period required for the voltage of the lithium ion secondary battery to restore up to not less than 70% of an open circuit voltage.

Podrazhansky does not disclose with sufficient specificity such that one in the art would readily envisage the specific claimed pause period which is less than a period required for the lithium ion secondary battery to restore up to not less than 70% of an open circuit voltage. Thus, Applicants respectfully submit that Podrazhansky fails to teach “wherein said control unit executes said pause for a period not less than the period required for the voltage of the lithium ion secondary battery to restore up to not less than 70% of an open circuit voltage.”

In view of the foregoing, Applicants respectfully submit that Podrazhansky does not anticipate claim 7. Also, Applicants respectfully submit that claims 8-12, 15, and 16, being dependent on claim 7, are patentable *at least* by virtue of their dependencies as well as for their additionally recited elements. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claim 7.

### **Claim 1**

Claim 1 should be allowable for reasons analogous to those discussed above in conjunction with claim 7. Accordingly, Applicants respectfully submit that Podrazhansky does not anticipate claim 1. Also, Applicants respectfully submit that claims 2-6, 13, and 14, being dependent on claim 1, are patentable *at least* by virtue of their dependencies as well as for their additionally recited elements.

### **Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

**AMENDMENT** UNDER 37 C.F.R. § 1.111  
U.S. Appln. No.: 10/528,042

Attorney Docket No.: Q85928

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

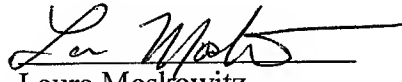
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